



## PRAVNI MONITORING MEDIJSKE SCENE U SRBIJI LEGAL MONITORING OF THE SERBIAN MEDIA SCENE

Monitoring novosti 41 / Monitoring Newsletter 41



**Pravni monitoring medijske scene u Srbiji se nastavlja i u 2013. godini!**

**Očekuje vas novih 11 Monitoring Izveštaja (1 dvomesečni i 10 mesečnih), 2 Monitoring Publikacije i 2 okrugla stola.**

**O svemu ćete biti blagovremeno obaveštavani Monitoring Novostima.**

**Na sajtu ANEM-a je objavljen  
ČETRDESET PRVI MONITORING IZVEŠTAJ (za period januar – februar 2013.)!**

### Kratak sadržaj:

- **Sloboda izražavanja** – *pretnje i pritisci*: analiza 3 slučaja - nova agresivna kampanja jedne desničarske organizacije protiv određenih medija i predstavnika civilnog sektora koje smatra „stranim agentima“, serija tekstova u jednom nedeljniku koji su bili usmereni protiv rukovodilaca i novinara RTV-a i predsednika NDNV-a; pretnje smrću i zastrašivanja novinara; *sudski postupci*: 3 tužbe jednog političkog i javnog funkcionera protiv istog dnevnog lista; pozitivan primer sudske prakse u slučaju napada na novinare; tužba glavnog i odgovornog urednika jednog magazina protiv NUNS-a;
- **Implementacija postojećih zakona** – *Zakon o radiodifuziji*: analiza odredaba Zakona i Kodeksa ponašanja emitera koje se tiču zaštite prava maloletnika i tome odgovarajućih obaveza emitera, povodom mere upozorenja koju je RRA izrekla jednom nacionalnom emiteru; *Zakon o nacionalnim savetima nacionalnih manjina*: koje odredbe tog zakona su predmet postupka ocene ustavnosti pred Ustavnim sudom Srbije i zašto; *Krivični zakonik*: pravne i praktične posledice nedavnih izmena zakona – dekriminalizacije klevete, uz istovremeni opstanak uvrede u krivičnom zakonodavstvu;
- **Usvajanje novih zakona** – koji su nedostaci, a koje su dobre strane *Nacrt zakona o javnom informisanju i medijima*, koja rešenja ovaj Nacrt nudi za pojedina važna medijska pitanja; zašto su pojedine odredbe *Nacrt zakona o naknadama za korišćenje javnih dobara*, koje se odnose na naknade regulatornim telima i naknade za javni radiodifuzni servis, neprihvatljive za medijska udruženja;
- **Rad nadležnih organa** – zbog čega je jedna preporuka Saveta RRA emiterima da se uzdrže od emitovanja određenog programa diskutabilna; šta sadrži i šta pokazuje drugi Izveštaj Ratela o analizi maloprodajnog tržišta distribucije medijskih sadržaja; šta je obeležilo diskusiju na prvom javnom slušanju na temu medijskih sloboda u Narodnoj skupštini; kakav je epilog postupka Komisije za zaštitu konkurenčije protiv SBB-a povodom događaja iz 2006. godine; šta omogućava emiterima novi Protokol o saradnji ANEM-a i Sokoja;
- **Proces digitalizacije** – šta je aktuelno i koji su uočeni problemi u procesu sprovođenja digitalne tranzicije televizije;
- **Proces privatizacije medija** – šta predviđa Nacrt zakona o javnom informisanju i medijima kada je reč o izlasku države iz vlasništva u medijima;
- **Zaključak Izveštaja** – šta je i kako obeležilo medijsku scenu Srbije u ovom periodu.

**Četrdeset prvi Monitoring Izveštaj uradio je stručni tim Pravne službe ANEM-a, advokatske kancelarije „Živković&Samardžić“, u saradnji sa ANEM-om. Pročitajte ga u celosti ili u delovima, [ovde](#)**

**Na web sajtu ANEM-a, u rubrici [Monitoring medijske scene](#),  
potražite i ostale Monitoring Izveštaje, Publikacije i izveštaje sa monitoring okruglih stolova!**



Kingdom of the Netherlands

Realizaciju ovog projekta, finansijski je podržala Ambasada Kraljevine Holandije  
Izneti stavovi pripadaju isključivo autorima i ne moraju predstavljati zvaničan stav  
Ambasade Kraljevine Holandije

<http://serbia.nlembassy.org/>



FOUNDATION FOR OPEN SOCIETY, SERBIA  
OPEN SOCIETY FOUNDATION, SERBIA

Realizaciju ovog projekta, finansijski je podržala Fondacija za otvoreno društvo, Srbija  
Izneti stavovi pripadaju isključivo autorima i ne moraju predstavljati zvaničan stav  
Fondacije za otvoreno društvo, Srbija



# PRAVNI MONITORING MEDIJSKE SCENE U SRBIJI LEGAL MONITORING OF THE SERBIAN MEDIA SCENE

Monitoring novosti 41 / Monitoring Newsletter 41



**Legal monitoring of the Serbian media scene continues in 2013 as well!**

**You can expect 11 new Monitoring Reports in this year (one two-monthly and 10 monthly reports), as well as 2 Monitoring Publications and 2 round tables**

**You will be timely informed on all these activities in the upcoming Monitoring Newsletters.**

**FORTY-FIRST MONITORING REPORT (for January-February 2013)  
is now available on ANEM website!**

## Brief summary:

- **Freedom of expression – threats and pressures:** analysis of 3 cases – a new aggressive campaign of a right-wing organization against some media and representatives of civil sector labeled as “foreign agents”, a series of articles in one weekly directed against chief managers and journalists of RTV and NDNV President, death threats and intimidation of journalists; *court proceedings:* 3 lawsuits of a politician and public official against the one daily; positive example of case law in the event of attack on journalists; legal claim by a chief-editor of one magazine against NUNS;
- **Implementation of existing laws – the Broadcasting Law:** analysis of provisions of the Law and Broadcasters’ Code of Conduct pertaining to the protection of rights of minors and related obligations of broadcasters, regarding the measure - warning the RBA has pronounced to a national broadcaster; *the Law on National Councils of National Minorities:* which provisions of this law have been the subject of assessment of constitutionality before the Serbian Constitutional Court and why; *the Criminal Code:* legal and practical effects of recent amendments to the Code – decriminalization of defamation, with concurrent “survival” of insult in the criminal law;
- **Adoption of new laws** – shortcomings and good aspects of the *Draft Law on Public Information and Media*, as well as solutions provided for by the Draft Law for certain key media issues; why some provisions of the *Draft Law on Fees for Use of Public Goods*, pertaining to fees paid to regulators and subscription fees for public service broadcasting, are unacceptable to media associations;
- **The work of competent authorities** – why a recommendation of the RBA Council to broadcasters to refrain from airing a candid camera show is disputable; what is contained and indicated in the second RATEL Report on the analysis of retail market of distribution of media content; what has marked the first public hearing on media freedoms in the Serbian Parliament; what is the epilogue of the proceedings against SBB initiated by the Commission for Protection of Competition for the events in 2006; what does new Protocol on Cooperation signed between ANEM and SOKOJ provides for broadcasters;
- **Process of digitalization** – what are the current events and problems identified in the process of implementation of digital transition of television;
- **Process of privatization of media** – what does the Draft Law on Public Information and Media provide for when it comes to the withdrawal of the state from ownership in media;
- **Conclusion of the Report** – what has marked the media scene in Serbia in this period and how.

**The Forty-first Monitoring Report was prepared by the expert team of ANEM Legal Department, law office „Živković&Samardžić“, in cooperation with ANEM. Read it whole, or in parts, [here](#)**

**Look for other Monitoring Reports, Publications and reports from monitoring round tables on ANEM website, in the section [Monitoring of the Media Scene](#)!**



Kingdom of the Netherlands

*This project is financially supported by the Embassy of the Kingdom of the Netherlands  
The content of this Report is the sole responsibility of the authors and does not necessarily reflect the views of the Embassy of the Kingdom of the Netherlands*

<http://serbia.nlembassy.org/>



*The implementation of this project is financially supported by the Open Society Foundation, Serbia  
The content of the Report is the sole responsibility of the authors and does not necessarily reflect the views of the Open Society Foundation, Serbia*